

5
OA No. 52 of 2008

Sunil Kumar Routray ... Applicant
Versus
UOI & Ors. ... Respondents

Order dated 17 September, 2009.

C O R A M

THE HON'BLE MR.JUSTICE K.THANKAPPAN, MEMBER (J)
A N D
THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (A)

.....

Applicant Sunil Kumar Routray working as a Senior Enquiry Cum Reservation Clerk of Cuttack Railway Station, Cuttack has filed this Original Application seeking direction/ to the Respondents to release the differential revised arrear salary from 1.1.1996 to November, 1997 as per 5th Central Pay Commission made effective w.e.f. 1.1.1996 along with interest @ Rs.12% per annum and all other consequential benefits. According to the Respondents in the counter filed in this case, the Applicant is entitled to the differential amount as prayed for in this OA but not the interest as the delay in payment is not directly attributable to the administration rather for the circumstances beyond the control of the Respondents. Heard Learned Counsel for both sides and perused the materials placed on record. It was contended by Mr. Ghosh, Learned Counsel for the Respondents that four months time may be allowed to the Respondent to make the payment of the differential amount consequent upon the revision of the scale of pay of the Applicant on the recommendation of the 5th CPC. He

L

6
further submitted that the case has already been processed and approval of the Railway Board is awaited as there was some delay. He assured that the arrears shall be released as soon as the sanction is received. Some more time is required for the purpose.

2. In view of the above, while granting three months time to make the payment of the differential amount as admitted by the Respondents to the Applicant, it is ordered that further delay would entitle the applicant simple interest @ 6% per annum after expiry of the above period of three months.

3. With the above observation and direction this OA stands disposed of. No costs.

K.Thankappan
(JUSTICE K. THANKAPPAN)
MEMBER (JUDICIAL)

C.R.Mohapatra
(C.R. MOHAPATRA)
MEMBER (ADMN.)

K.Thankappan